



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: **DEX-0243**

Inventors: **Recipon et al.**

Serial No.: **10/016,349**

Filing Date: **October 26, 2001**

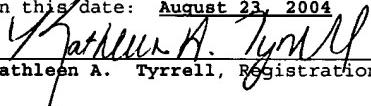
Examiner: **Spiegler, Alexander H.**

Group Art Unit: **1637**

Title: **Compositions and Methods Relating
to Lung Specific Genes and Proteins**

I, Kathleen A. Tyrrell, Registration No. 38,350, certify that this correspondence is being depositing with the U.S. Postal Service as First Class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

On this date: August 23, 2004


Kathleen A. Tyrrell, Registration No. 38,350

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

CERTIFICATION UNDER 37 C.F.R. §1.97(e)

In accordance with 37 C.F.R. §1.97(e), certification is hereby made that:

- (XX) Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

() No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in connection with a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement.

Respectfully submitted,



Kathleen A. Tyrrell
Registration No. 38,350

Date: August 23, 2004

Licata & Tyrrell P.C.
66 E. Main Street
Marlton, New Jersey 08053

(856) 810-1515

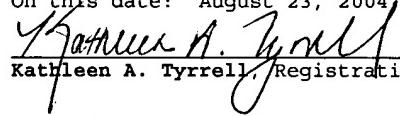


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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

() In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into

the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, no additional fee is required.

- () In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, therefore:
 - () Certification in Accordance with §1.97(e) is attached hereto; or
 - () Authorization to charge Deposit Account No. 50-1619 the fee of \$180.00 as set forth in §1.17(p) is provided.
- (xx) In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee, therefore included are: Certification in Accordance with §1.97(e); Petition Requesting Consideration of the Information Disclosure Statement; and the fee of \$130.00 as set forth in §1.17(I)(1).
- (xx) Copies of each of the references listed on the attached Form PTO-1449 (modified) are enclosed herewith.
- () In accordance with §1.98(d), copies of some or all of the references listed on the attached Form PTO-1449 (modified)

are not enclosed herewith because they were previously submitted to the U.S. Patent and Trademark Office in prior application Serial No. _____, filed _____, for which a claim for priority under 35 U.S.C. §120 has been made in the instant application.

Please charge any deficiency or credit any overpayment to Deposit Account No. 50-1619. This form is submitted in duplicate.

(xx) A copy of the EPO Search Report from PCT Application No. EP 01 27 3065, which corresponds to this U.S. Patent Application is included.

() The relevance of the listed references in a foreign language is as stated in the specification at pages @@.

(xx) All listed references are in the English language.

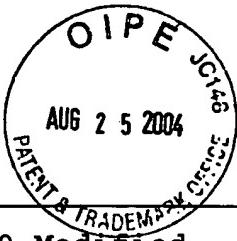
Respectfully submitted,

Kathleen A. Tyrrell
Registration No. 38,350

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Licata & Tyrrell P.C.
66 E. Main Street
Marlton, New Jersey 08053

(856) 810-1515



Sheet 01 of 01

Form PTO-1449 Modified		Docket No. DEX-0243	Serial No. 10/016,349
List of Patents and Publications Cited by Applicant (Use several sheets if necessary)		Applicant Recipon et al.	
U.S. Department of Commerce		Filing Date October 26, 2001	Group 1637

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	CA	DATABASE EMBL - Homo sapiens chromosome 17 clone RP11-219G17, 7 September 2000 - Database accession no. AC010532 XP002280872
	CB	DATABASE EMBL - Homo Sapiens genomic clone RPCI-11-141D15, 4 March 2000 - Database accession no. AQ386701 XP002280873
	CC	DATABASE EMBL - Human DNA sequence from clone RP1-185N19 19 October 2000 - Database accession no. AL136163 XP001180874

EXAMINER	DATE CONSIDERED
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